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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0757
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE
RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 9966
RUEHPB/AMEMBASSY PORT MORESBY IMMEDIATE 3228
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0036
RUEHWL/AMEMBASSY WELLINGTON IMMEDIATE 1052
RHMCSUU/FBI WASHINGTON DC IMMEDIATE
RUEAWJB/DEPT OF JUSTICE WASHDC IMMEDIATE
RHEHNSC/NSC WASHDC IMMEDIATE
RHHMUNA/CDRUSPACOM HONOLULU HI IMMEDIATE

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SECSTATE FOR EAP/MTS, DS/DSS, DS/IP/EAP, DS/EAP/ITA,
CA/OCS/ACS

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [ASEC](#) [CASC](#) [KJUS](#) [PHUM](#) [ID](#)

SUBJECT: TIMIKA TRIAL: LAST DAY OF VICTIM, EXPERT TESTIMONY

REF: JAKARTA 11892 (WITNESS SNAFU)

¶1. (SBU) On September 29, Central Jakarta court heard testimony from two victim witnesses and two expert witnesses in the trial of suspects charged in the 2002 murder of two Americans and one Indonesian near Timika, Papua. Amcit victim witness Patsy Spier attended, accompanied by an interpreter and Embassy security personnel.

¶2. (SBU) Courtroom security was heightened in response to the disruptions caused by demonstrators during the previous session (reftel). Before the session opened, a court officer read out regulations on appropriate conduct in the courtroom.

¶3. (SBU) The session opened at 13:00. All the defendants appeared except for accused co-conspirator Hardi Sugimol, who is ill. The prosecution produced a doctor's letter explaining Sugimol's condition, and which stated that he is recovering. It was challenged by defense counsel Johnson Panjaitan, who said that the letter was written by prosecution staff, not a doctor, and that his client was ill, and not recovering as described in the letter.

¶4. (SBU) The other defendants claimed that they were suffering from stress resulting from their incarceration and worry about their families, and that they had been unable to eat. They therefore said they were too weak to attend the day's hearing. Although Defense Attorney Panjaitan attempted to persuade them to stay, they insisted on leaving the courtroom. Panjaitan wanted to stay on by himself, but the judge told him that it was against procedures for an attorney to represent his clients in court without the clients being present. Panjaitan therefore left the courtroom as well.

¶5. (SBU) From about 14:45 to 15:30, the prosecution and judge questioned victim witness Yohannes Bawan, a Freeport driver who was present at the ambush. Bawan was asked about his actions during the ambush, as well as what he heard and saw. Bawan was followed on the stand by victim witness Ludwik Worotikan, who was shot during the ambush. Prosecutors asked him about his experiences during the ambush, as well as about the long-term effects of his injury. His testimony lasted half an hour.

¶6. (SBU) From 16:15 - 16:45, prosecutors questioned expert witness Dr. Wibisono who performed the initial autopsy on the

body of Amcit victim Ricky Spier. Dr. Wibisono provided a general description of the condition of the body, but declined to provide a detailed description of the bullet fragments he had found, saying that he was not an expert in ballistic matters. From 16:45 - 17:25, Polri ballistics expert Syafrian was questioned about ballistic evidence found at the scene, including bullets and casings. Syafrian offered his opinion on the types of weapons used in the crime. The ballistic testing carried out by the FBI crime laboratory was mentioned only in passing.

17. (SBU) At 17:30, court was adjourned until Tuesday, October 3, at which time the cross-examination of the defendants will begin.
HEFFERN